

Attorney's Docket No.: 06457-007003

OFFICIAL COMMUNICATION

FACSIMILE

**RECEIVED
CENTRAL FAX CENTER**

JAN 20 2004

OFFICIAL

FOR THE PERSONAL ATTENTION OF:

EXAMINER SAMUEL M. HEINRICH

U.S. PATENT AND TRADEMARK OFFICE (PATENT)

ASSISTANT COMMISSIONER OF PATENTS

WASHINGTON, D.C. 20231

FAX NO: (703) 872-9306

Number of pages including this page 29

Applicant : Donald V. Smart
Serial No. : 10/036,431
Filed : January 7, 2002

Art Unit : 1725
Examiner : Samuel M. Heinrich
Confirmation No.: 4687
Notice of Allowance Date: November 26, 2003
FACSIMILE COMMUNICATION

Title : LASER PROCESSING

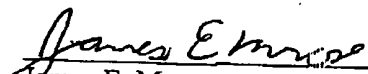
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

Attached to this facsimile communication cover sheet is a Letter to the Examiner, with the enclosures listed thereon, faxed this 20th day of January, 2004, to the United States Patent and Trademark Office.

Respectfully submitted,

Date: January 20, 2004


James E. Mrose
Reg. No. 33,264

Fish & Richardson P.C.
1425 K Street, N.W., 11th Floor
Washington, DC 20005-3500
Telephone: (202) 783-5070
Fax: (202) 783-2331

NOTE: This facsimile is intended for the addressee only and may contain privileged or confidential information. If you have received this facsimile in error, please immediately call us collect at (202) 783-5070 to arrange for its return. Thank you.

Attorney's Docket No.: 06457-007003

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant : Donald V. Smart
Serial No. : 10/036,431
Filed : January 7, 2002

Art Unit : 1725
Examiner : Samuel M. Heinrich
Confirmation No.: 4687
Notice of Allowance Date: November 26, 2003

Title : LASER PROCESSING

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

LETTER TO EXAMINER

The documents attached to this letter were also attached to a letter to the examiner previously transmitted by facsimile. The previously transmitted documents included some copier artifacts on some of their pages, and accordingly applicant is sending these documents again.

At the request of the Examiner, applicant encloses a preliminary amendment filed by applicant on July 22, 2003, and a postcard stamped by the Patent and Trademark Office indicating receipt thereof.

Applicant also encloses information disclosure statements and forms PTO-1449 filed April 8, 2002, April 22, 2002, May 17, 2002, August 30, 2002, and June 13, 2003. Applicant has not received the PTO-1449 forms with the Examiner's initials adjacent to the citations of the references listed thereon.

Applicant asks that the Examiner examine claims 88-107 added by the preliminary amendment filed July 22, 2003, and the references listed on the information disclosure statements and, if all of the claims are found to be allowable, issue a supplemental notice of allowability along with the initialed PTO-1449 forms.

Applicant wishes to inform the Examiner that a parent of the present application, application 09/441,201, now U.S. Patent No. 6,337,462, is in litigation, in which the answer to the complaint includes a general allegation that all of the claims are invalid or unenforceable pursuant to Title 35, including, but not limited to, Sections 101, 102, 103, and/or 112.

Please apply any charges or credits to Deposit Account No. 06-1050.

Applicant : Donald V. Smart
Serial No. : 10/036,431
Filed : January 7, 2002
Page : 2

Attorney's Docket No. 06457-007003

Respectfully submitted,

Date: January 19, 2004

James E. Mrose
James E. Mrose
Reg. No. 33,264

Fish & Richardson P.C.
1425 K Street, N.W.
11th Floor
Washington, DC 20005-3500
Telephone: (202) 783-5070
Facsimile: (202) 783-2331

40198749.doc